

## **SUBCHAPTER D : CLASSIFICATION OF MUNICIPAL SOLID WASTE FACILITIES**

### **§330.41. Types of Municipal Solid Waste Facilities.**

(a) Classification of Municipal Solid Waste Facilities. The commission has classified all municipal solid waste facilities according to the method of processing or disposal of municipal solid waste. Subject to the limitations in §330.136 of this title (relating to Disposal of Special Wastes) and §330.137 of this title (relating to Disposal of Industrial Wastes), and with the written approval of the executive director, a MSWLF facility may also receive special wastes, including Class I industrial nonhazardous solid waste and hazardous waste from conditionally exempt small quantity generators, if properly handled and safeguarded in the landfill facility.

(b) Municipal solid waste facility-Type I. A Type I facility shall be considered to be the standard landfill for the disposal of municipal solid waste. All solid waste deposited in a Type I facility shall be compacted and covered at least daily. The commission may authorize the designation of special-use areas for processing, storage, and disposal or any other functions involving solid waste. The operational and design standards prescribed in §§330.50-330.65 of this title (relating to Permit Procedures), §§330.111-330.139 of this title (relating to Operational Standards for Solid Waste Land Disposal Sites), §§330.150-330.159 of this title (relating to Operational Standards for Solid Waste Processing and Experimental Sites), §§330.200-330.206 of this title (relating to Ground-Water Protection Design and Operation), §§330.230-330.242 of this title (relating to Ground-Water Monitoring and Corrective Action), §§330.250-330.256 of this title (relating to Closure and Post-Closure), §§330.280-330.286 of this title (relating to Financial Assurance), and §§330.300-330.305 of this title (relating to Location Restrictions), unless otherwise specified in §330.3(e) of this title (relating to Applicability), shall be followed. Those facilities meeting the requirements of §330.3(e) of this title (relating to Applicability) shall be referred to as Type I-AE facilities and are exempt from all requirements pertaining to but not limited to §§330.200-330.206 and §§330.230-330.242 of this title (relating to Ground-Water Protection Design and Operation and Ground-Water Monitoring and Corrective Action, respectively). Type I Facilities that are authorized to operate a Type IV cell or trench shall operate the cell or trench in accordance with §330.41(e) of this title (relating to Types of Municipal Solid Waste Facilities).

(c) Municipal solid waste facility-Type II. Upon the effective date of this title, all Type II facilities, as defined in this subsection, shall meet and comply with the Type I standards contained in subsection (b) of this section, except as otherwise specified in §330.3(e) of this title (relating to Applicability). For the purpose of this section, a Type II facility is defined as: a facility or operation serving less than 5,000 persons or the population equivalent; receiving less than 12-1/2 tons of solid waste per day; compacted and covered on a frequency that will not result in any significant health problems; and operation not conducted within 300 yards of a public road.

(d) Municipal solid waste facility-Type III. Upon the effective date of this title, all Type III facilities, as defined in this subsection, shall meet and comply with the Type I standards contained in subsection (b) of this section, except as otherwise specified in §330.3(e) of this title (relating to

Applicability). For the purpose of this section, a Type III facility is defined as: a facility or operation serving less than 1,500 persons or the population equivalent; receiving less than 3-3/4 tons of waste per day; and operation not conducted within 300 yards of a public road.

(e) Municipal solid waste facility-Type IV. A Type IV facility or operation may be authorized by the commission for the disposal of brush, construction-demolition waste, and/or rubbish that are free of putrescible and free of household wastes. A Type IV operation shall not be operated within 300 yards of a public road unless the executive director, after a site evaluation, determines that the proposed operation in the proposed location is acceptable. The minimum operational standards are prescribed in the applicable requests §§330.50-330.65 of this title (relating to Permit Procedures) §§330.111-330.135 of this title (relating to Operational Standards for Solid Waste Land Disposal Sites), §§330.138-330.139 of this title (relating to Operational Standards for Solid Waste Land Disposal Sites), §§330.204-330.206 of this title (relating to Ground-Water Protection Design and Operation), §330.239 of this title (relating to Ground-Water Monitoring at Type IV Landfills), §330.251 of this title (relating to Closure Requirements for MSWLF Units That Stop Receiving Waste prior to October 9, 1991 and MSW Sites), unless otherwise specified in §330.3(e) of this title (relating to Applicability). Waste shall be compacted and covered weekly unless another schedule is approved or required by the commission. Those facilities meeting the requirements of §330.3(e) of this title (relating to Applicability) shall be referred to as Type IV-AE facilities and are exempt from §§330.200-330.206 and §§330.230-330.242 of this title (relating to Ground-Water Protection Design and Operation and Ground-Water Monitoring and Corrective Action, respectively).

(f) Municipal solid waste facility-Type V. Separate solid waste processing facilities are classified as Type V. These facilities shall encompass processing plants that transfer, incinerate, shred, grind, bale, compost, salvage, separate, dewater, reclaim, and/or provide other processing of solid waste. Operational standards are prescribed in §§330.150-330.159 of this title (relating to Operational Standards for Solid Waste Processing and Experimental Sites).

(g) Municipal solid waste facility-Type VI. A Type VI facility or operation may be authorized by the commission for a facility involving a new or unproven method of managing or utilizing municipal solid waste, including resource and energy recovery projects. The commission may limit the size of these facilities until the method is proven. The minimum operational standards are prescribed in §§330.150-330.159 of this title (relating to Operational Standards for Solid Waste Processing and Experimental Sites).

(h) Municipal solid waste facility-Type VII. A Type VII facility or operation may be authorized by the commission for the land management of sludges and/or similar wastes. Operational standards, depending on the particular waste, facility purpose, and method of operation (land application for beneficial use, land disposal to include landfilling and land treatment, etc.) are contained in §§312.1-312.101 of this title (relating to Sewage Sludge Use and Disposal).

(i) Municipal solid waste facility-Type VIII. Facilities for the management of used or scrap tires are classified as Type VIII. Standards are prescribed in §§330.801-330.889 of this title (relating to Management of Whole, Used, or Scrap Tires).

(j) Municipal solid waste facility-Type IX. A closed disposal facility, an inactive portion of a disposal facility, or an active disposal facility, used for extracting materials for energy and material recovery or for gas recovery for beneficial use is classified as Type IX. Registration requirements are contained in §330.4 of this title (relating to Permit Required).

Adopted November 16, 1995

Effective December 11, 1995

Amendment to: §330.41

Date Adopted: November 16, 1995

Date Filed with the Secretary of State: November 20, 1995

Date Effective: December 11, 1995